

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Sector

#3

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF APPLICATION --
FILING DATE GRANTED**

Docket Number:
2844/53802

Application Number
09/473,830

Filing Date
December 28, 1999

Examiner

Art Unit
1633

Invention Title
**EFFICIENT AND STABLE IN VIVO GENE
TRANSFER TO CARDIOMYOCYTES USING
RECOMBINANT ADENO-ASSOCIATED
VIRUS VECTORS**

Inventor(s)
LEIDEN et al.

Address to:

Assistant Commissioner for Patents
Washington D.C. 20231
Box Missing Parts

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

Date:

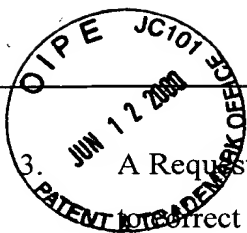
June 7, 2000

Signature:

M. Lisa Wilson
M. Lisa Wilson (Reg. No. 34,045)

To complete the filing requirements for the above-referenced application under 37 C.F.R. § 1.51, enclosed please find an executed Declaration and Power of Attorney. A copy of the Notice to File Missing Parts of Application mailed February 7, 2000 is also enclosed.

1. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.16(e) surcharge fee of **\$130.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
2. Applicants hereby request a **two-month extension of time** for responding to the Office Action of February 7, 2000, which set a **two-month** period for response. The extended period for response expires on June 7, 2000. Please charge the **\$380.00** extension fee to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.



3. A Request for Corrected Filing Receipt is being filed concurrently with this paper to correct the filing receipt with respect to the filing date which should read -- 12/28/99 --, copy attached.

4. A duplicate copy of this sheet is enclosed.

Dated: June 7, 2000

By:

M. Lisa Wilson (Reg. No. 34,045)

KENYON & KENYON
One Broadway
New York, N.Y. 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)

P30093 US 1
UNITED STATES DEPARTMENT OF COMMERCE**Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/473,830	12/23/99	LEIDEN	J 2844/53802
0232/0207			

KENYON & KENYON
ONE BROADWAY
NEW YORK NY 10004

1633

DATE MAILED:

02/07/00

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☐ non-small entity is \$ 130.

- ☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

- ☒ is missing or unsigned.

- ☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

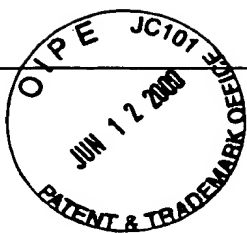
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

EN
Customer Service Center
Initial Patent Examination Division (703) 308-1202

RECEIVED
KENYON & KENYON
ONE BROADWAY
NEW YORK, NY06/15/2000 HBERHE 00000094 110600 09473830
130.00 CH
01 FC:105



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**REQUEST FOR CORRECTED FILING
RECEIPT**

Docket Number:
2844/53802

Application Number
09/473,830

Filing Date
December 28, 1999

Examiner

Art Unit
1633

Invention Title
**EFFICIENT AND STABLE IN VIVO GENE
TRANSFER TO CARDIOMYOCYTES USING
RECOMBINANT ADENO-ASSOCIATED VIRUS
VECTORS**

Inventor(s)
LEIDEN et al.

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Attn.: Office of Initial Patent
Examination's Customer Service Center

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

Date: *June 7, 2000*

Signature: _____

M. Lisa Wilson
M. Lisa Wilson (Reg. No. 34,045)

Applicant respectfully requests that the Official Filing Receipt (a copy of which is attached) be corrected to show the filing date as:

-- December 28, 1999 --.

We attach herewith a copy of the Patent and Trademark Office stamped return postcard and a copy of the application transmittal mailed December 28, 1999.

Kindly issue a corrected filing receipt as requested above.

Dated: *June 7, 2000*

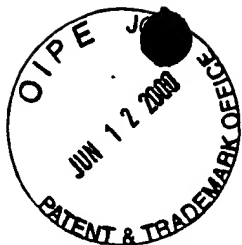
By: _____

M. Lisa Wilson
M. Lisa Wilson (Reg. No. 34,045)

KENYON & KENYON
One Broadway
New York, N.Y. 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)

© Kenyon & Kenyon 2000

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/473,830	12/28/99	1633	\$1,146.00	2844/53802	2	23	1

KENYON & KENYON
ONE BROADWAY
NEW YORK NY 10004

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) JEFFREY M. LEIDEN, RESIDENCE NOT PROVIDED; ERIC SVENSSON, RESIDENCE NOT PROVIDED.

CONTINUING DATA AS CLAIMED BY APPLICANT-
PROVISIONAL APPLICATION NO. 60/113,923 12/28/98

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 02/07/00
TITLE
EFFICIENT AND STABLE IN VIVO GENE TRANSFER TO CARDIOMYOCYTES
USING RECOMBINANT ADENO-ASSOCIATED VIRUS VECTORS

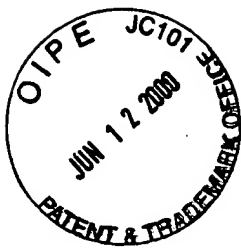
PRELIMINARY CLASS: 424

RECEIVED
KENYON & KENYON
ONE BROADWAY
NEW YORK, N.Y.
FEB 10 1 38 PM '00

DATA ENTRY BY: NIMMONS, EVELYN

TEAM: 02 DATE: 02/07/00

(See reverse for new important information)



EL179104PAUS 12/28/99 2844/5382 MLW

The stamp of the Patent Office hereon, may be taken as

acknowledging the receipt, on the date stamped, of

PATENT APPLICATION of Carden et al

Title Efficient + stable in vivo gene transfer to
cardiomyocytes using recombinant adeno-
associated virus

Specification 14

Assignment -

No. of claims 27

Recording fee \$ -

No. of drawings 2

Authorization to charge Dep. Acct. 11-000

Declaration -

Priority Document -

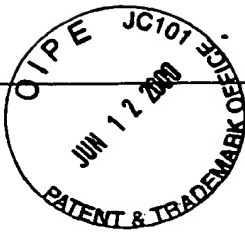
Filing fee \$ 1,146-

Preliminary Amendment jc525 U.S. PTO

Small Entity -

09/473830





U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**UTILITY PATENT APPLICATION
TRANSMITTAL LETTER
UNDER RULE 37 C.F.R. 1.53(b)**

ATTORNEY DOCKET NO.:
2844/53802

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231
Box Patent Application

Transmitted herewith for filing is the patent application of

Inventor(s)

Jeffrey M. LEIDEN
Eric SVENSSON

For : EFFICIENT AND STABLE IN VIVO GENE TRANSFER TO
CARDIOMYOCYTES USING RECOMBINANT ADENO-ASSOCIATED VIRUS
VECTORS

1. 11 sheets of specification, 2 sheets of claims and 1 sheet of abstract.
2. 2 sheet of drawings.
3. Return Receipt Postcard.
4. Related Application:

The present application claims the benefit, under 35 U.S.C. § 119(e) of U.S.
Provisional Application No. 60/113,923, filed December 28, 1998.

5. The filing fee has been calculated as shown below:

	NUMBER FILED	NUMBER EXTRA*	RATE (\$)	FEE (\$)
BASIC FEE				760.00
TOTAL CLAIMS	27 - 20 =	7	18.00	126.00
INDEPENDENT CLAIMS	1 - 3 =	0	78.00	0.00
MULTIPLE DEPENDENT CLAIM PRESENT			260.00	260.00
*Number extra must be zero or larger			TOTAL	1,146.00
If applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.			SMALL ENTITY TOTAL	0.00

6. Please charge the required application filing fee of **\$1,146.00 (large entity)**, and any other fees that may be required, to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**. A duplicate of this sheet is enclosed.
7. The Commissioner is hereby authorized to charge payment of the following fees, associated with this communication or arising during the pendency of this application, or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**:
- A. Any additional filing fees required under 37 C.F.R. § 1.16;
 - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
 - C. Any additional patent issue fees under 37 C.F.R. § 1.18;
 - D. Any additional document supply fees under 37 C.F.R. § 1.19;
 - E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
 - F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

Respectfully submitted,

M. Lisa Wilson

Dated: 12/28/99

By: Mary C. Wilson Reg No 30,333
M. Lisa Wilson (Reg. No. 34,045)

KENYON & KENYON
One Broadway
New York, New York 10004
Telephone: (212) 425-7200
Facsimile: (212) 425-5288